

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:18-cv-00311-MR
[CRIMINAL CASE NO. 1:17-cr-00012-MR-DLH-1]**

TRAVIS LINDSEY MEHAFFEY,)

Petitioner,)

vs.

UNITED STATES OF AMERICA,)

Respondent.)

ORDER

THIS MATTER is before the Court on limited remand to supplement the record with an Order granting or denying a certificate of appealability. [See Doc. 10].

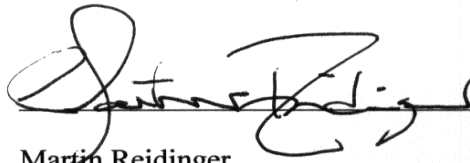
Pursuant to Rule 11(a) of the Rules Governing Section 2254 and Section 2255 Cases, this Court declines to issue a certificate of appealability. See 28 U.S.C. § 2253(c)(2); Miller-El v. Cockrell, 537 U.S. 322, 338 (2003) (in order to satisfy § 2253(c), a petitioner must demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong); Slack v. McDaniel, 529 U.S. 473, 484 (2000) (when relief is denied on procedural grounds, a petitioner must establish both that the dispositive procedural ruling is debatable and that the petition states a

debatable claim of the denial of a constitutional right).

IT IS, THEREFORE, ORDERED that pursuant to Rule 11(a) of the Rules Governing Section 2254 and Section 2255 Cases, this Court declines to issue a certificate of appealability.

IT IS SO ORDERED.

Signed: February 12, 2019


Martin Reidinger
United States District Judge

